cases of such condemnation the course of proceeding shall be as follows: A petition shall be filed in the Baltimore City Court in the name of the Mayor and City Council of Baltimore, setting forth a description of the land proposed to be acquired, together with the statement that the said land is desired, in part or whole, for the establishment of a park, and that the said Park Commissioners are unable to agree with the owner or owners thereof, or some of them, or under age, *femme covert* or *non compos mentis*, the unknown heirs of some deceased person or persons, or non-residents of Baltimore City, or under some legal disability to contract, and a prayer that the court will have same condemned; the court shall thereupon pass an order requiring the owner or owners, or supposed owner or owners of the property, and for the husband and wife, respectively, of those who may be named, to be served by the sheriff, and returned by some day to be named in said order, not less than ten or more than twenty days from the day of the filing of the said petition; or if the said owner or owners are non-residents of the City of Baltimore, or are of the unknown heirs of some deceased person or persons, the court shall order the sheriff to set up a copy of the summons upon the property, and shall order a notice to the said non-resident or residents, or unknown heirs of such deceased person or persons, to be published twice a week, for four successive weeks, in two daily newspapers published in the City of Baltimore, requiring them to appear in the said court and defend their interests on or before some day named in the order, which day shall not be less than six weeks, nor more than

Method of procedure.

eight weeks, from the day of the filing of the petition to condemn. Upon the return of the said summons, or upon the expiration of the time prescribed in the said order of publication, or upon the appearance of the said owner or owners, or supposed owner or owners of said property, the court shall hear and determine any reasons that may be alleged why the said property shall not be lawfully condemned for the purposes set forth; and if it appears to the court that any such owners, or reputed owners, are under any legal disability to make his, her or their defense, the court shall either authorize their duly constituted guardian or committee to appear and defend for them, or shall appoint some suitable person as guardian *ad litem* for them to appear in their name and defend their rights. If the Court shall determine that the property is not subject to condemnation at all, it shall quash the petition; if it shall determine the proceedings are void for want of a proper notice or summons, which has not been barred by the appearances of the owner or reputed owners, it shall order a resummons or republication of the order of notice. The court shall at any time have power to permit any amendments in matter of form, if there be no objection to the condemnation of said property; or if the Court shall decide against the *vaili* of any such objection, as may be alleged, it shall order and adjudge that said property be subject to condemnation, and refer the assessing of the value of the same to the Park Commissioners to make an award of the value of the said lot or portion of ground, and of the interest of the several owners. As soon

Republication

Court order.